

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JONATHAN PATRICK ROSE, #223157,

Petitioner,

v.

CASE NO. 2:10-CV-11160
HONORABLE GEORGE CARAM STEEH

CATHERINE BAUMAN,

Respondent.

_____ /

ORDER DENYING PETITIONER'S MOTION TO EXPAND THE RECORD

This matter is before the Court on Petitioner's motion to expand the record to add materials related to his state criminal proceedings, including police reports, the prosecution's witness list, police car video and voice recordings, and witness statements. Respondent has not filed a reply to the motion. The Court may permit the record to be expanded to include additional materials relevant to the determination of the habeas petition. *See* Rule 7, Rules Governing Section § 2254 Cases. Respondent has recently submitted an answer to the petition and the state court record, but the Court has yet to review those materials in detail. At this time, it does not appear that the materials requested by Petitioner are needed to resolve this case. Should the Court find otherwise upon further review of the case, the Court will order the production of any necessary materials. Accordingly, the Court **DENIES WITHOUT PREJUDICE** Petitioner's motion. The Court will bear in mind Petitioner's request. He need not file another motion on this issue.

IT IS SO ORDERED.

Dated: November 22, 2010

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on November 22, 2010, by electronic and/or ordinary mail and also to Jonathon Rose 223157, Kinross Correctional Facility, 16770 S. Watertower Drive, Kincheloe, MI 49788.

S/Josephine Chaffee
Deputy Clerk